

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Jiang, Cai-Zhong, et al.

Title: **METHODS FOR MODIFYING PLANT BIOMASS AND TOLERANCE TO ABIOTIC STRESS**

Serial No.: TBA 10/669,824 Filing Date: Herewith

Examiner: TBA Group Art Unit: TBA 1638

Mail Stop Patent Application  
Commissioner For Patents  
P.O. BOX 1450  
Alexandria, VA 22313-1450

PETITION FOR INCLUSION OF COLOR PHOTOGRAPHS IN A UTILITY PATENT  
APPLICATION PURSUANT TO 37 C.F.R. §1.84(B)(2)

Dear Sir:

This is a request under the provisions of 37 CFR 1.84(B)(2) to include at least three (3) color photograph(s) in the above-referenced utility patent application. Applicants herewith include for Figures 8A and 8B, which are incorporated onto a single page, three (3) sets of the color photographs.

Applicants have included the following language as the first paragraph in that portion of the specification relating to the brief description of the drawings:

The file of this patent contains at least one drawing executed in color. Copies of this patent with color drawing(s) will be provided by the Patent and Trademark Office upon request and payment of the necessary fee.

Applicants respectfully submit that the inclusion of color photographs in the utility patent application is necessary for the following reasons.

CERTIFICATE OF EXPRESS MAILING"Express Mail" Label No.: EL 889 523 626 45Date of Deposit: September 23, 2003

I hereby certify under 37 C.F.R. 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office To Addressee" with sufficient postage on the date indicated above and is addressed to: Mail Stop Patent Application, Commissioner for Patents, Po Box 1450, Alexandria, VA 22313-1450

(Signature) Kathleen K. Muto(Printed Name) KATHLEEN K. MUTO

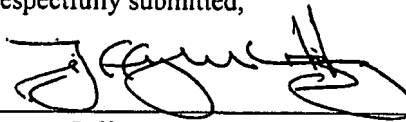
1) Monochrome photographs of Figures 8A and 8B do not clearly distinguish the cotyledons of developing seedlings from their background, and thus do not clearly show the full extent of increased cotyledon expansion in the overexpressing seedlings in Figure 8B, compared to the seedlings of wild-type in Figure 8A. Copies of Figures 8A and 8B in both monochrome and color are attached to underscore to this statement.

The Commissioner is hereby authorized to charge Mendel Biotechnology, Inc. Deposit Account No. 50-1025 the amount of \$130.00, the fee for such a petition as set forth under 37 C.F.R. §1.17(i), or charge the correct fee to said Deposit Account, as the Commissioner deems appropriate.

Respectfully submitted,

Date: September 23, 2003

By: \_\_\_\_\_



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